

AMENDED

Serial No. 10957

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office MAY 21 1943
Returned to applicant for correction JUL 28 1943
Corrected application filed AUG 30 1943

The undersigned F. W. Brush and Edna Brush
(Name of applicant.)
of Paradise Valley, County of Humboldt
State of Nevada, hereby makes application for permission to change the Point of diversion
of water heretofore appropriated under Little Humboldt River Decree
(State nature of right that is the basis of this
and listed as Mrs. Ella Grigsby & Mrs. N. A. Gillilan (Proof No. 0660)
application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Cottonwood Creek
2. The quantity of water desired to be changed .7340 second foot
(Acre feet, second feet.)
3. The water is to be used for Irrigation purposes
4. The water heretofore used for Irrigation
5. Place of use under existing appropriation W $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 7, T. 41 N.,
(Under irrigation give number acres
R. 40 E. of MDB&M (65.40 acres Class A culture & 8 Acres Class C
and description in respect to Government Land Survey; under any other use give location as being within a 40-acre
culture)

(subdivision.)
6. Proposed place of use under this application
(Under irrigation give number
W $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 7, T. 41 N., R. 40 E. of MDB&M. (65.40 acres class A
of acres and description in respect to Government Land Survey; under any other use give location as being within a
culture and 8 acres class C culture)

(40-acre subdivision.)
7. The water is to be diverted from its source at the following point:
At s. 3° 20' E. 1960 ft. from the N. $\frac{1}{4}$ Cor. Sec. 7 (SW $\frac{1}{4}$ NE $\frac{1}{2}$ Sec. 7, T.
(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)
41 N. R. 40 E.

8. The existing point of diversion under the former appropriation is
as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 42 N., R. 39 E. of MDM.
(If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered

10. Use will begin about March and end about September of each year.
(Month) (Month)

11. The water has been used heretofore during the months of
Irrigation season as set forth in the Decree of each year

12. Remarks Stock water is used all year.

13. Description of proposed works Masonry Dam across Cottonwood Creek
6 ft. deep, 10 ft. wide. (Water to be conveyed through
ditches)

14. Estimated cost of works \$175.00

15. Estimated time required to construct the works is 15 days

Map Filed AUG 18 1943

Compared N.N.-C.T.

F. W. Brush and Edna Brush Applicant

By F. R. O'Leary
Engineer & Agent for Applicant.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of Cottonwood Creek as heretofore set forth in the Little Humboldt River Decree as filed in the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, on May 9, 1935, is issued subject to the terms and conditions imposed in said Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.7340 of a cubic foot per second.

Actual construction work shall begin on or before October 11, 1944.

Proof of commencement of work shall be filed before November 11, 1944.

Work must be prosecuted with reasonable diligence and be completed on or before March 11, 1945.

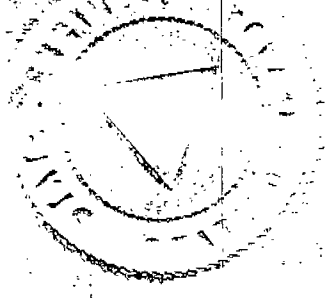
Proof of completion of work shall be filed before April 11, 1945.

Application of water to beneficial use shall be made on or before October 11, 1945.

Proof of the application of water to beneficial use shall be filed with the State Engineer on or before November 11, 1945.

WITNESS MY HAND AND SEAL this 11th day of
April, 1944.

Alfred H. Smith
State Engineer



Proof of commencement of work filed DEC 19 1944

Proof of completion of work filed APR 3 1945

Proof of Beneficial use filed APR 3 1945

Certificate No. 2863 Issued April 19, 1945 for 0.7340 cfs

Recorded April 24 1945 Bk. A-100 Page 265

Humboldt County Records.

Compared RMA-C.T.